

**REMARKS**

Claims 1-2, 4, 7-14 and 17-39 are pending in this application. Claims 1, 12, 22 and 31 are independent claims. Claims 2, 4, 7-11, 13-14, 17-21 and 23-39 are amended. Claims 3, 5-6 and 15-16 were previously cancelled without prejudice or disclaimer. No new matter has been added which require further search. Reconsideration and allowance of the present application are respectfully requested.

**Entry of Amendment After Final Rejection**

Entry of the Amendment is requested under 37 C.F.R. § 1.116 because the Amendment: a) places the application in condition for allowance for the reasons discussed herein; b) does not present any additional claims without canceling the corresponding number of final rejected claims; and/or c) places the application in better form for an appeal, if an appeal is necessary. Entry of the Amendment is thus respectfully requested.

**Claim Rejections Under 35 U.S.C. § 103**

Claims 1-4, 6, 7, 9-14, 17, 19-22, 24-26, 28, 30-35, 37 and 39 and claims 5, 8, 15, 18, 23 and 32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2003/0112789 to Heinonen et al. (hereinafter “Heinonen”) in view of U.S. Patent Publication No. 2004/011699 to (“Rockwell”) (hereinafter “Rockwell”). This rejection is respectfully traversed.

Claim 1, upon which claims 2, 4 and 7-11 depend, recites “a short-range wireless access point enabling a mobile wireless device to resume service with a network server after the wireless device moves out of the coverage area of the of the access point, comprising: a server including transceivers for short-range wireless communication within a coverage area and with a network server; means for registering the mobile device when initiating proximity services with a service provider; means for transmitting a code to the mobile device for identification purposes in short-range and network communications; means for obtaining from the mobile device a wide area identification of the mobile device; means for initiating a session for the mobile device with the service provider when within the coverage area; and means for maintaining the session with

the service provider when the mobile device moves outside the coverage area, wherein the code and the wide area identification are to be coupled into a hashed code for proximity identification of the mobile device, and wherein the hashed code is to be transmitted to the mobile device along with an instruction to forward the hashed code to the network server to associate the code and the wide area identification in a subsequent request for service by the mobile device.”

Claim 12, upon which claims 13-14 and 17-21 depend, recites “a method in a short-range wireless access point for enabling a mobile device to resume service with a network server, the service having been interrupted by moving the mobile device out of the coverage area of the access point, comprising: a) establishing a short-range communication link for initiating a service with the mobile wireless device, wherein the short-range communication link is based on a local area identification of the mobile wireless device; b) requesting from the mobile wireless device a second, additional identification through the short-range communication link, wherein the requested identification relates to a wide area network identification of the terminal; c) receiving the additional identification from the mobile wireless device; d) determining whether the service with the mobile wireless device through the short-range communication link is open; e) establishing wide area connection with the mobile wireless device using a stored association in response to detecting that the short-range communication link is closed; f) coupling the first and second identifications in a hashed code as a proximity identification of the mobile device; and g) transmitting a message to the mobile device including the hashed code and instructing the mobile device to forward the message to the sewer for associating the first identification with the second identification in a subsequent request for service by the mobile device.”

Claim 22, upon which claims 23-30 depend, recites “a system enabling a mobile wireless device to resume service with a network server after the wireless device moves out of a coverage area of an access point, comprising: a hotspot server including transceivers for short-range wireless communication within a coverage area and with a network server; a mobile device including means for short-range communication and network communications; means for coupling the hotspot server to a service provider; means stored in the mobile device for implementing short-range communications with the hotspot server when within the coverage area; means stored in the hotspot server for recognizing the mobile device when initiating short-range communication with the mobile device; means for registering the mobile device when

initiating proximity services with the service provider, said means for registering to obtain a first, local identifier associated with the mobile device and to request and obtain a second, network identifier associated with the mobile device; means for transmitting a code and a message to the mobile device for identification purposes in short-range and network communications, wherein the code comprises a hashed code formed from the first and second identifiers, and wherein the message comprises an instruction to the mobile device to send the code to the service provider to associate the first and second identifiers for a subsequent request for service; means for initiating a session for the mobile device with the service provider within the coverage area; and means for maintaining the session with the service provider using the code when the mobile device moves outside the coverage area.”

Claim 31, upon which claim 32-39 depend, recites “a method enabling a mobile wireless device to resume service with a network server after the wireless device moves out of a coverage area of an access point, comprising: a) installing transceivers in a hotspot server for short-range wireless communication within a coverage area and with a network server; b) installing short-range communication and network communications means in a mobile device; c) coupling the hotspot server to a service provider; d) storing in the mobile device means for implementing short-range communications with the hotspot sewer when within the coverage area; e) storing in the hotspot server means for recognizing the mobile device when initiating short-range communication with the mobile device; f) registering the mobile device when initiating proximity services with the service provider, including obtaining a first, local identifier associated with the mobile device and requesting and obtaining a second, network identifier associated with the mobile device; g) transmitting a message, including a code, to the mobile device for identification purposes in short-range and network communications, wherein the code comprises a hashed code based on the first and second identifiers, and wherein the message comprises an instruction to the mobile device to send the code to the service provider to associate the first and second identifiers for a subsequent request for service; h) initiating a session for the mobile device with the service provider when within the coverage area; and i) maintaining the session with the service provider using the code when the mobile device moves outside the coverage area.”

As outlined below, Heinonen and Rockwell do not teach or suggest the combination of

elements recited in the pending claims.

Heinonen discloses a mobile wireless device near two short range wireless access points and then later near a regional cellular telephone access point. The mobile wireless device is equipped with circuits for short range wireless systems and circuits for cellular telephone communications systems. During an initial period when the mobile wireless device is within the coverage area of the short range wireless access point, it sends a request for service to be obtained from a network server. FIG. 1A of Heinonen shows a flow diagram for processing the service request in the access point. In Step 340, the access point receives the service request. The Bluetooth packet structure for the service request, includes the access code for the piconet master in the piconet formed by the mobile Bluetooth device and the Bluetooth access point, the header containing the slave device number and the packet type, and the payload portion. The payload portion includes the payload header and the payload data. The service request to the server is contained in the payload data. In step 342 of FIG. 1A, the Bluetooth access point forwards the service request in an augmented service request message to the server. FIG. 1E illustrates a data flow diagram showing the service request from the mobile wireless device being forwarded by the access point in the augmented service request message to the content server. The augmented service request message may include the payload data, the address of the mobile wireless device, its class of device, access point geographic location information, the access point address, the destination server path name and the destination server URL.

Heinonen discloses that in step 344 of FIG. 1A, the Bluetooth access point receives a response message, shown in FIG. 1F, from the server. The response message includes a local/global parameter and a handoff address. The local/global parameter specifies whether the service from the server can be reached through alternate channels or bearers. The response message may also include priority information, timer information, display mode information, content, a title, a bit map, soft key\_1 selection information, soft key\_2 selection information, soft key\_3 selection information, location information, URL information, service type information, the handoff address and an end marker. In step 346 of FIG. 1A, the Bluetooth access point forwards the response message to the mobile wireless device. The response message is contained in the payload data. Upon receipt of the response message, the mobile wireless device stores the local/global parameter in a buffer in its memory. Optionally, the mobile wireless

device receives the handover address, which it stores in a buffer in its memory. The mobile wireless device uses the information in the server response message to contact the server over the Internet to download web pages or to conduct other server operations. If the mobile wireless device detects that it has left the coverage area of the short range wireless access point while in contact with the server, it will determine whether the global/local parameter indicates that the service is global, and if the service is not global, the mobile wireless device ends the service with the server. Alternately, if the service is global, then the mobile wireless device stores a bookmark of the server's URL. Then, the mobile wireless device displays a notice to offer the user the option of continuing the contact with the server over the regional cellular telephone network. If the user selects to continue the contact with the server, then a stored handover address is accessed. See at least paragraphs 0049-0060 and Figures 1 and 1A-1H of Heinonen.

Rockwell discloses that a platform allowing automated service subscription by remote devices employs a provisioning scheme to regulate subscriptions and supplies replenishment. See at least the Abstract of Rockwell.

Applicants submit that the combination of Heinonen and Rockwell does not teach or suggest the combination of elements recited in claims 1-15, 17-26, 28, 30-35, 37 and 39. Each of claims 1, 2, 4, and 7-11 in part, recites “the code and the wide area identification are to be coupled into a hashed code for proximity identification of the mobile device, and wherein the hashed code is to be transmitted to the mobile device along with an instruction to forward the hashed code to the network server to associate the code and the wide area identification in a subsequent request for service by the mobile device.”

Each of claims 12-14 and 17-21, in part, recites “coupling the first and second identifications in a hashed code as a proximity identification of the mobile device; and transmitting a message to the mobile device including the hashed code and instructing the mobile device to forward the message to the server for associating the first identification with the second identification in a subsequent request for service by the mobile device.”

Each of claims 22-30, in part, recites “means for registering to obtain a first, local identifier associated with the mobile device and to request and obtain a second, network identifier associated with the mobile device; means for transmitting a code and a message to the mobile device for identification purposes in short-range and network communications, wherein

the code comprises a hashed code formed from the first and second identifiers, and wherein the message comprises an instruction to the mobile device to send the code to the service provider to associate the first and second identifiers for a subsequent request for service.”

Each of claims 31-39, in part, recites “registering the mobile device when initiating proximity services with the service provider, including obtaining a first, local identifier associated with the mobile device and requesting and obtaining a second, network identifier associated with the mobile device; transmitting a message, including a code, to the mobile device for identification purposes in short-range and network communications, wherein the code comprises a hashed code based on the first and second identifiers, and wherein the message comprises an instruction to the mobile device to send the code to the service provider to associate the first and second identifiers for a subsequent request for service.” Heinonen does not teach or suggest these features.

The Office Action alleged that the “global/local” parameter disclosed in Heinonen is equivalent to the “code” sent to the mobile device for identification purposes in short-range and network communications, as recited in the pending claims. This equation is improper. As noted above, Heinonen discloses that the server sends a response message including a local/global parameter and a handoff address. The local/global parameter in Heinonen specifies whether the service from the server can be reached through alternate channels or bearers. In Heinonen, the local/global parameter is associated with the service from the service provider, rather than with identifiers of the mobile device. The local/global parameter of Heinonen is not for identification of the mobile device in short-range and network communications and does not include any indication of the local identifier and/or a network identifier associated with the mobile device. Therefore, as correctly noted on page 4 of the Office Action, the global/local parameter of Heinonen is simply to notify the mobile wireless device as to whether the requested service is available outside of the coverage area of the short range wireless access point. Since the global/local parameter of Heinonen is not associated with identifiers of the mobile device, the service provider in Heinonen cannot associate any information in the global/local parameter with a subsequent request for service from the mobile device, as recited in the pending claims and discussed in more detail below.

In the pending claims, on the other hand, “the code” is a hashed code that is based on the

local identifier and a network identifier associated with the mobile device. Thus, Heinonen does not teach or suggest “transmitting a message, including a code, to the mobile device for identification purposes in short-range and network communications, wherein the code comprises a hashed code based on the first and second identifiers,” as recited in the pending claims.

Furthermore, Heinonen does not teach or suggest that “the message comprises an instruction to the mobile device to send the code to the service provider to associate the first and second identifiers for a subsequent request for service from the mobile device.” There is no teaching or suggestion in Heinonen of sending instructions to the mobile device for the mobile device to send a hashed code, based on the first and second identifiers of the mobile device, to the service provider and for the service provider to thereafter associate the identifiers of the mobile device with a subsequent request for service.

Instead, Heinonen merely discloses that the mobile wireless device uses the information in the server response message to contact the server over the Internet to download web pages or to conduct other server operations. Heinonen also discloses that if the mobile wireless device detects that it has left the coverage area of the short range wireless access point while in contact with the server, the mobile wireless device determines whether the global/local parameter indicates that the service is global, and if the service is not global, the mobile wireless device ends the service with the server. Alternately, if the service is global, then the mobile wireless device displays a notice to offer the user the option of continuing the contact with the server over the regional cellular telephone network. If the user selects to continue the contact with the server, then a stored handover address is accessed. Thus, Heinonen discloses that it is the mobile device that must determine how to maintain contact with the service provider. There is no teaching or suggestion in Heinonen of the service provider associating a subsequent request for service with the mobile device based on the identifiers of the mobile device in the hashed code (local/global parameters).

Rockwell does not cure any of the deficiencies of Heinonen, as outlined above. Therefore, Applicants respectfully request that this rejection of claims 1-4, 6, 7, 9-14, 17, 19-22, 24-26, 28, 30-35, 37 and 39 and claims 5, 8, 15, 18, 23 and 32 under 35 U.S.C. §103 be withdrawn.

Claims 27 and 36 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Heinonen in view of Rockwell, and in further view of U.S. Patent Publication No. 2003/0046184 to Bjorklund et al. (hereinafter “Bjorklund”). This rejection is respectfully traversed.

Bjorklund does not cure any of the deficiencies of Heinonen and Rockwell, as outlined above. Specifically, Bjorklund does not teach or suggest “means for registering to obtain a first, local identifier associated with the mobile device and to request and obtain a second, network identifier associated with the mobile device; means for transmitting a code and a message to the mobile device for identification purposes in short-range and network communications, wherein the code comprises a hashed code formed from the first and second identifiers, and wherein the message comprises an instruction to the mobile device to send the code to the service provider to associate the first and second identifiers for a subsequent request for service,” as recited in claim 27. Bjorklund also does not teach or suggest “registering the mobile device when initiating proximity services with the service provider, including obtaining a first, local identifier associated with the mobile device and requesting and obtaining a second, network identifier associated with the mobile device; transmitting a message, including a code, to the mobile device for identification purposes in short-range and network communications, wherein the code comprises a hashed code based on the first and second identifiers, and wherein the message comprises an instruction to the mobile device to send the code to the service provider to associate the first and second identifiers for a subsequent request for service,” as recited in claim 36. Therefore, Applicants respectfully request that this rejection of claims 27 and 36 under 35 U.S.C. §103 be withdrawn.

Claims 29 and 38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Heinonen in view of Rockwell, and in further view of U.S. Patent Publication No. 2004/0127204 to Belmont (hereinafter “Belmont”). This rejection is respectfully traversed.

Belmont does not cure any of the deficiencies of Heinonen and Rockwell, as outlined above. Specifically, Belmont does not teach or suggest “means for registering to obtain a first, local identifier associated with the mobile device and to request and obtain a second, network identifier associated with the mobile device; means for transmitting a code and a message to the mobile device for identification purposes in short-range and network communications, wherein



the code comprises a hashed code formed from the first and second identifiers, and wherein the message comprises an instruction to the mobile device to send the code to the service provider to associate the first and second identifiers for a subsequent request for service,” as recited in claim 29. Belmont also does not teach or suggest “registering the mobile device when initiating proximity services with the service provider, including obtaining a first, local identifier associated with the mobile device and requesting and obtaining a second, network identifier associated with the mobile device; transmitting a message, including a code, to the mobile device for identification purposes in short-range and network communications, wherein the code comprises a hashed code based on the first and second identifiers, and wherein the message comprises an instruction to the mobile device to send the code to the service provider to associate the first and second identifiers for a subsequent request for service,” as recited in claim 38. Therefore, Applicants respectfully request that this rejection of claims 29 and 38 under 35 U.S.C. §103 be withdrawn.

#### **Disclaimer**

Applicants may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.

**CONCLUSION**

In view of the above, consideration and allowance are respectfully solicited.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

The Office is authorized to charge any necessary fees to Deposit Account No. 22-0185.

Applicant believes no fee is due with this response other than any fee which may be indicated on an accompanying paper. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 27592-00449-US from which the undersigned is authorized to draw.

Dated: July 22, 2008

Respectfully submitted,

Electronic signature: /Arlene P. Neal/  
Arlene P. Neal  
Registration No.: 43, 828  
CONNOLLY BOVE LODGE & HUTZ LLP  
1875 Eye Street, NW  
Suite 1100  
Washington, DC 20006  
(202) 572-9687  
(202) 293-6229 (Fax)  
Attorney for Applicant